

STATE OF MAINE
HANCOCK, SS.

UNIFIED CRIMINAL DOCKET
LOCATION: ELLSWORTH
CRIMINAL ACTION
DOCKET NO. CR-22-241

STATE OF MAINE

v.
ELIOT CUTLER

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**DEFENDANT'S MOTION TO
AMEND BAIL**

NOW COMES Defendant, by and through undersigned counsel, and hereby moves this Court for the entry of an Order amending Defendant's conditions of release of to remove the internet access prohibitions and substitute an amended condition that would allow Defendant access to the internet, with monitoring, and states as follows.

On March 26, 2022, Defendant was released from the Hancock County Jail. Bail was set at \$50,000 and that was posted, and the bail commissioner indicated that Defendant "not to possess any device that is able to connect to internet, not to possess any sexually explicit material."

Defendant has retained a computer and internet monitoring company, RANCTC. RANCTC has agreed to provide monitoring services of any devices that Defendant possesses that are able to connect to the internet which it is anticipated will be a laptop computer and a phone. Defendant will pay all the charges in connection with the installation of the software and the monitoring. RANCTC will prepare reports on a weekly basis or at such more frequent times as requested by the District Attorney's Office, and provide these reports to the District Attorney's Office. The reports will specifically indicate whether Defendant has accessed the internet in any way related to sexually explicit material. Defendant would waive any confidentiality with respect to his internet access at it relates to potential access to sexually explicit material, and Defendant would further consent to allow reports to be provided to the District Attorney's Office in connection with the monitoring.

The computer and internet monitoring would provide a transparent, accountable process that would allow Defendant to access the internet, without concern that Defendant would do so to access sexually explicit material. As it stands now, the prohibition of even possessing a device that has access to the internet has been tremendously challenging. It is virtually impossible in this day and age to engage in society without a computer and internet access, and if Defendant's access prohibits the possession of sexually explicit material, and there is a fully accountable process for ensuring the same, Defendant's bail conditions should be changed accordingly.

Counsel for Defendant has contacted the District Attorney's Office with respect to this motion and they have indicated they have no position with respect to this motion.

WHEREFORE, for the foregoing reasons, Defendant respectfully requests this Court enter an Order deleting the provision of Defendant's conditions of release that he is "not to possess any device that is able to connect to internet" and substitute it with "Defendant may only access the internet while monitored by RANCTC."

Dated: April 19, 2022



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